

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
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DATE FILED: 2/3/2020

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GUSTAVO PENATE, on behalf of others similarly:  
situated  
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Plaintiff,  
:  
-against-  
:  
:  
DBTG CHAMBERS LLC, JOSEPH CIRIELLO,  
:  
:  
Defendants.  
:  
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19-CV-8767 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS Plaintiff filed this lawsuit on September 20, 2019, *see* Dkt. 1;

WHEREAS Plaintiff filed affidavits reflecting timely service of a summons and the Complaint on Defendants, *see* Dkts. 7, 12;

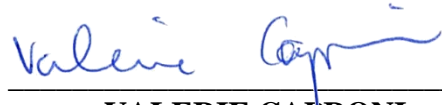
WHEREAS Defendant DBTG Chambers LLC has failed to appear, answer, or otherwise respond to the Complaint by the December 3, 2019 deadline, *see* Fed. R. Civ. P. 12(a)(1)

WHEREAS Defendant Joseph Ciriello has failed to appear, answer, or otherwise respond to the Complaint by the January 2, 2020 deadline, *see* Fed. R. Civ. P. 12(a)(1)

IT IS ORDERED that Plaintiff must apply for a certificate of default against Defendants no later than **February 10, 2020**. Within fourteen days of receiving such a certificate, Plaintiff must apply for a default judgment against Defendants, consistent with the procedures described in Attachment A to the undersigned's Individual Practices in Civil Cases.

**SO ORDERED.**

**Date: February 3, 2020  
New York, NY**



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**VALERIE CAPRONI  
United States District Judge**